



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/670,940 | 09/25/2003 | Sanjay D. Kamat | S. KAMAT 3-5 | 2055 |
| 47394 | 7590 | 06/16/2011 | EXAMINER | |
| HITT GAINES, PC ALCATEL-LUCENT PO BOX 832570 RICHARDSON, TX 75083 | | | BILGRAMI, ASGHAR H | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2443 | |
| | | | NOTIFICATION DATE | DELIVERY MODE |
| | | | 06/16/2011 | ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket@hittgaines.com

| | | | |
|---|------------------------|---------------------|--|
| <p><i>Advisory Action</i> <i>Before the Filing of an Appeal Brief</i></p> | Application No. | Applicant(s) | |
| | 10/670,940 | KAMAT ET AL. | |
| | Examiner | Art Unit | |
| | ASGHAR BILGRAMI | 2443 | |

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 May 2011 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

a) The period for reply expires _____ months from the mailing date of the final rejection.
 b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because

- (a) They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) They raise the issue of new matter (see NOTE below);
- (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. Applicant's reply has overcome the following rejection(s): _____.
 6. Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: _____.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:

Applicant argued that the cited portion of Fieldman fails to disclose loopback address corresponding to IP addresses of remote endpoints indicate reachability of the a node. As to applicant's argument examiner specifically explained in the rejection that teaching of loopback with respect to reachability of nodes with respect to Pelavin, Fieldman and applicant's disclosure. Pelavin did not explicitly disclose indications, based on loopback addresses associated with nodes through which said withdrawn route passed, of a reachability of said each of said nodes; and route disqualification logic of said border gateway router, which is associated with said RIB data receiver and which is configured to disqualify alternative routes to said domain based on said indications prior to an alternative route convergence process, wherein said domain is thereby considered unreachable by said process and therefore not considered by said process. Although Pelavin disclosed that assigning loopback addresses to a router {Autonomous System} is a common technique through which a host can connect to the router; an advantage of a loopback address over the address of a physical port, is that a "loopback cannot fail" (col.36, lines 22-43). However Pelavin did not explicitly disclose an active route to a domain becoming a withdrawn route on an indication based on loopback address associated with the nodes {autonomous systems} through which the said withdrawn route passed, of a reachability of said each of said nodes, and disqualifies alternative routes to said domain based on said indications prior to an alternative route convergence process. In the same filed of endeavor Feldmann disclosed an active route to a domain becoming a withdrawn route on an indication based on loopback address associated with the nodes {autonomous systems} through which the said withdrawn route passed, of a reachability of said each of said nodes and route disqualification logic of said border gateway router, associated with said RIB data receiver, that disqualifies alternate routes to said domain based on said indication prior to an alternative route convergence process {prior to the final selection of a route} (paragrapah.36) {Examiner has interpreted that this limitation as basically describing that the alternate routes to a domain are disqualified before they are selected}. {Feldmann discloses that the Autonomous System (AS) {e.g. collection of routers etc} {before alternate route convergence} learns about

/TONIA L.M. DOLLINGER/
Supervisory Patent Examiner, Art Unit 2443

/Asghar Bilgrami/
Examiner, Art Unit 2443